

2015-75-558

IN THE CIRCUIT COURT OF MARION COUNTY, MISSISSIPPI

STATE OF MISSISSIPPI

VERSUS

MALCOLM JAMAL HUSBAND  
BY JANETTE NOLAN, CIRCUIT CLERK  
D.C.

FILED  
FEB 06 2015

CAUSE NO. K14-031 H

FILED

APR 06 2015

ORDER OF CONVICTION

OFFICE OF THE CLERK  
SUPREME COURT  
COURT OF APPEALS

INTO OPEN COURT on January 12, 2015, came the Assistant District Attorney who prosecutes for the State of Mississippi and came also **MALCOLM JAMAL HUSBAND**, Defendant herein, and represented by counsel, Honorable Ivan Burghard. The Grand Jury of MARION COUNTY, Mississippi returned an indictment charging Defendant with Manslaughter 97-3-35. Defendant was arraigned, and the State of Mississippi and the Defendant announced ready for trial. A lawful jury of twelve (12) jurors was fully empaneled and said case proceeded to trial.

After both the State of Mississippi and the Defendant rested and after receiving the instructions of the Court and hearing the argument of the State and defendant, the jury retired to consider its verdict and presently returned into open Court with the following verdict, to-wit:

"WE THE JURY FIND DEFENDANT GUILTY AS CHARGED."

Thereupon, the jury was dismissed, and the Court set the sentencing date for February 4, 2015, in order to consider the Pre-Sentence Investigation Report.

THEREFORE, upon said verdict of guilty of the charge of Manslaughter, it is by the Court ORDERED AND ADJUDGED that the said **MALCOLM JAMAL HUSBAND**, be and he is hereby sentenced to **TWENTY (20) YEARS** in the custody of the Mississippi Department of Corrections, with **TEN (10) YEARS** to serve in the custody of the Mississippi Department of Corrections, and the remaining **TEN (10)** years of said sentence to be served under the post-release provisions with a **FIVE (5)** year supervision period, pursuant to Mississippi Code 47-7-34.



The defendant is hereby ordered to pay a fine of \$5000.00 and pay all costs of Court herein. Defendant shall pay restitution in the amount of \$2500.00 to Forester Crenshaw, Sr., 1951 Freeport Drive, Riviera Beach, Florida 33404.

Any period of incarceration imposed under said sentence is to be served in the custody of the Mississippi Department of Corrections under the provisions of Mississippi Code Section 47-5-138, as amended, and any portion of said sentence that is served under Post-Release Supervision is to be served under the provisions of Mississippi Code Section 47-7-34, as amended.

The suspension of any portion of said sentence, whether under Post-Release Supervision, probation or otherwise, shall be subject to the following conditions:

Defendant shall:

- (a) Commit no offense against the laws of this or any other state of the United States, or the laws of the United States;
- (b) Avoid injurious or vicious habits and persons and places of disreputable or harmful character;
- (c) Report to the field Officer as directed;
- (d) Permit the Field Supervisor (Probation officer) to visit the defendant at home or elsewhere;
- (e) Work faithfully at suitable employment so far as possible;
- (f) Remain within a specified area, to-wit: State of Mississippi;
- (g) Support her dependents, if any;
- (h) Possess or consume no alcoholic beverages or mood altering drugs, and possess no firearm or other deadly weapon;
- (i) Pay required fee during each month of probation, by money order, to the Mississippi Department of Corrections;



- (j) Submit, as provided in Section 47-5-603 of the Mississippi Code of 1972, to any type of breath, saliva or urine chemical analysis test, the purpose of which is to detect the possible presence of alcohol or substance prohibited or controlled by any law of the State of Mississippi or the United States, or to tests recommended by his Field Officer;
- (k) Participate in any recognized program available and recommended by his Field Officer;
- (l) Defendant shall his fine, assessments and costs of court herein, to be paid at the rate of \$75.00 per month beginning one (1) month after his release on Post-Release Supervision;

The violation of any one of the above enumerated conditions shall violate the terms and conditions of the defendant's Post-Release Supervision and the Court shall have the authority to revoke the defendant from Post-Release Supervision and remand his back into the custody of the Mississippi Department of Corrections.

IT IS FURTHER ORDERED AND ADJUDGED that the defendant shall be given credit for time served in the county jail, as allowed by law.

IT IS FURTHER ORDERED AND ADJUDGED that **MALCOLM JAMAL HUSBAND** is hereby remanded into the custody of the Sheriff of MARION COUNTY, Mississippi to await transfer to the Mississippi Department of Corrections.

SO ORDERED AND ADJUDGED this the 4<sup>th</sup> day of February, 2015.

  
CIRCUIT JUDGE